IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3431 /2004

PETITIONER

Smt. Shobhna Gupta, Widow of Late Vibhu Kumar Gupta, aged about 43 years, resident of Balak Chowk, Dhamtari (C.G.)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through, the Secretary, Department of Water Resources, Dau Kalyan Singh Bhawan, Raipur, Chhattisgarh.

2. The State of Madhya Pradesh, Through : the Secretary, Deptt of Education, Vallabh Bhawan, Bhopal (Madhya Pradesh)

3. The Union of India, through : the Secretary, Ministry of Personnel, Public Grievances and Pension (State Reorganization Cell), III Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

4. The Director (Treasury, Accounts and Pension), Raipur, Chhattisgarh.

5. The Chief Engineer, Water Resources Department, Raipur.

P. R. No. 2987/04
Presented by Shri V.I. Venkateshwara
dated 21-8-04

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27/8/04
Clerk to A. G. Bilaspur

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER / ORDERS, DIRECTION / DIRECTIONS.

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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 3431 of 2004

Petitioner	:	Smt. Shobhna Gupta
	Versus	
Respondents	:	The State of Chhattisgarh and others

Present : Shri Bhaskar Payashi, counsel for the petitioner.
Smt. Anju Ahuja, Deputy Government Advocate for the respondents No. 1, 4 and 5.
None for the respondent No. 2.
Shri S.K. Beriwal, Standing counsel for the respondent No. 3/Union of India

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ORAL ORDER
(20th April, 2006)

1. Learned counsel for the petitioner submits that the petitioner is the widow of Shri Vibhu Kumar Gupta, who was working as Sub Engineer in the Water Resources Department, Sub Division Keshkal, District-Bastar. Shri Vibhu Kumar Gupta was died in harness on 22.7.2000.

2. The petitioner, being dependant-legal heir of the deceased filed an application immediately thereafter for compassionate appointment before the respondent authorities. The said application was not considered on the ground that the death has occurred before creation of new State of Chhattisgarh.

3. The State of Chhattisgarh, by its circular dated 2.2.2006, has directed all the departments to consider cases of all the eligible dependant-legal heir of the employees, who died in harness

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between 1.11.1997 to 31.10.2000 for compassionate appointment.

4. Accordingly, the State Government is directed to consider the case of the petitioner as per its own circular dated 2.2.2006 and also in view of the order dated 20.12.2005 passed by this Court in W.P. No. 1322/2002 and other connected matters on its own merit, in accordance with law, on such representation being filed by the petitioner.

5. So far as prayer at para 7.2 to the effect that the respondents be directed to pay the entire G.P.F. amount as deducted from the salary of the petitioner's husband is concerned, learned counsel for the petitioner seeks permission of this Court to file appropriate representation to the concerned authorities. The petitioner further seeks for liberty to file a fresh petition, in the event such occasion arises. The liberty as stated above is granted.

6. For the reasons stated-above, the writ petition stands disposed of. No order as to costs.

Certified copy as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Bablu